

5–12–05 Vol. 70 No. 91 Thursday May 12, 2005

Pages 24935–25456

i



The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see <a href="https://www.archives.gov">www.archives.gov</a>.

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the Federal Register shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.gpoaccess.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via e-mail at gpoaccess@gpo.gov. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the Federal Register paper edition is \$749 plus postage, or \$808, plus postage, for a combined Federal Register, Federal Register Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the Federal Register including the Federal Register Index and LSA is \$165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily Federal Register, including postage, is based on the number of pages: \$11 for an issue containing less than 200 pages; \$22 for an issue containing 200 to 400 pages; and \$33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for \$3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see bookstore.gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

**How To Cite This Publication:** Use the volume number and the page number. Example: 70 FR 12345.

**Postmaster:** Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

#### SUBSCRIPTIONS AND COPIES

#### PUBLIC

#### **Subscriptions:**

Paper or fiche 202–512–1800 Assistance with public subscriptions 202–512–1806

General online information 202–512–1530; 1–888–293–6498

Single copies/back copies:

Paper or fiche
Assistance with public single copies
202–512–1800
1–866–512–1800
(Toll-Free)

#### FEDERAL AGENCIES

#### **Subscriptions:**

Paper or fiche 202–741–6005
Assistance with Federal agency subscriptions 202–741–6005

#### FEDERAL REGISTER WORKSHOP

#### THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: Sponsored by the Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

- 1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
- 2. The relationship between the Federal Register and Code of Federal Regulations.
- 3. The important elements of typical Federal Register documents.
- 4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WHEN: Tuesday, May 17, 2005

9:00 a.m.-Noon

WHERE: Office of the Federal Register

Conference Room, Suite 700 800 North Capitol Street, NW.

Washington, DC 20002

RESERVATIONS: (202) 741-6008



# **Contents**

### Federal Register

Vol. 70, No. 91

Thursday, May 12, 2005

# **Agriculture Department**

See Farm Service Agency See Food and Nutrition Service See Forest Service

**RULES** 

Animal Welfare Act; implementation: License and hearing procedures, 24935–24936

# Alcohol and Tobacco Tax and Trade Bureau PROPOSED RULES

Alcohol; viticultural area designations: Fort Ross-Seaview; Sonoma County, CA, 25000

### **Antitrust Division**

#### **NOTICES**

National cooperative research notifications:
ASTM International - Standards, 25110
Electronic Healthcare Network Accreditation
Commission, 25110–25111
Southwest Research Institute, 25111
VSI Alliance, 25111
World Airline Entertainment Association, 25111

### **Army Department**

See Engineers Corps

# Centers for Disease Control and Prevention NOTICES

Grants and cooperative agreements; availability, etc.: Feasibility and impact of influenza vaccination by pediatricians of household contacts of children less than two years, 25063–25067

Influenza vaccination of children and accompanying adults; mass vaccination vs vaccination in routine care, 25067–25071

Influenza vaccinations of healthcare workers in hospitals, 25072–25075

Vaccination coverage in the greater than 65 years of age population; improvement, 25075–25079

Vaccination of birth mothers and household contacts with inactivated influenza vaccine; effectiveness of hospital-based program, 25079–25084

# Children and Families Administration NOTICES

Grants and cooperative agreements; availability, etc.: Community Services Block Grant Training and Technical Assistance Program, 25084–25091

### **Civil Rights Commission**

#### NOTICES

Meetings, State advisory committees: Maine, 25015

#### **Coast Guard**

#### RULES

Ports and waterways safety; regulated navigation areas, safety zones, security zones, etc.: Fifth Coast Guard District; fireworks displays, 24955– 24959

# **Commerce Department**

See International Trade Administration

# Customs and Border Protection Bureau NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25103–25104 Record of decision:

Office of Border Patrol, McAllen, TX, 25104-25106

See National Oceanic and Atmospheric Administration

# **Defense Department**

See Engineers Corps

### **Education Department**

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25022–25023

#### **Energy Department**

See Federal Energy Regulatory Commission

## **Engineers Corps**

#### NOTICES

Environmental statements; availability, etc.: Orange County, CA; San Juan Creek and western San Mateo Creek Watersheds, 25021–25022

# **Environmental Protection Agency**

#### **RULES**

Air programs:

Ambient Air quality standards, national— Fine particulate matter and ozone; interstate transport control measures, 25162–25405

Air quality implementation plans; approval and promulgation; various States:

District of Columbia, 24959-24970

Maryland, 24979-24987

Maryland and Virginia, 24987-24991

Virginia, 24970–24979

Washington, 24991-24992

# PROPOSED RULES

Air quality implementation plans:
Preparation, adoption, and submittal—
Delaware and New Jersey, 25408–25423
Air quality implementation plans; approval and promulgation; various States:
Louisiana, 25000–25004
Oklahoma, 25004–25008
Texas, 25008–25010

# **Farm Service Agency**

#### **NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 25014

# Federal Aviation Administration

**RULES** 

Airworthiness directives: Airbus, 24936–24938 Dornier, 24938–24939

Class E airspace, 24939-24941

#### PROPOSED RULES

Airworthiness directives:

Airbus, 24997-24999

Boeing, 24994-24997

# Federal Communications Commission NOTICES

Common carrier services:

Wireless telecommunications services—

Lower 700 Mhz service license auction; reserve prices or minimum opening bids, etc., 25045–25059

# Federal Deposit Insurance Corporation

NOTICES

Meetings; Sunshine Act, 25059–25060

# Federal Energy Regulatory Commission

Electric rate and corporate regulation filings, 25038–25040

Environmental statements; availability, etc.: Fox Paper Co. and N.E.W. Hydro, Inc., 25041

Hydroelectric applications, 25041–25044

Meetings:

Grand River Dam Authority, 25044-25045

Regional transmission planning and expansion; facilitate fuel diversity; expanded uses of coal-fired resources; technical conference, 25045

Applications, hearings, determinations, etc.:

Algonquin Gas Transmission, LLC, 25023–25024

ANR Pipeline Co., 25024-25025

Black Marlin Pipeline Co., 25025

Canyon Creek Compression Co., 25025

Chandeleur Pipe Line Co., 25025-25026

Columbia Gas Transmission Corp. and Hardy Storage Co., LLC, 25026–25027

Columbia Gulf Transmission Co., 25027

Discovery Gas Transmission LLC, 25027

Distrigas of Massachusetts LLC, 25027-25028

Dominion Cove Point LNG, LP, 25028

East Tennessee Natural Gas, LLC, 25028-25029

Egan Hub Storage, LLC, 25029

EnCana Border Pipelines Ltd. et al., 25029-25030

Gas Transmission Northwest Corp., 25030

Gulfstream Natural Gas System, L.L.C., 25030–25031

Horizon Pipeline Co., L.L.C., 25032

Maritimes & Northeast Pipeline, L.L.C., 25032

Midwestern Gas Transmission Co., 25032-25033

National Fuel Gas Supply Corp., 25033

Northern Natural Gas Co., 25033-25034

Pacific Gas and Electric Co., 25034

Panhandle Eastern Pipe Line Co., LP, 25034-25035

SCG Pipeline, Inc., 25035

Texas Eastern Transmission, LP, 25035-25036

Texas Gas Transmission, LLC, 25036

Transwestern Pipeline Co., 25036-25037

Vector Pipeline L.P., 25037

Williston Basin Interstate Pipeline Co., 25037–25038

### **Federal Reserve System**

#### NOTICES

Banks and bank holding companies:

Formations, acquisitions, and mergers, 25060

# **Federal Trade Commission**

## PROPOSED RULES

CAN-SPAM Act; implementation:

Definitions, implementation, and reporting requirements, 25426–25455

#### NOTICES

Meetings:

Marketing, self-regulation, and childhood obesity; workshop, 25060–25062

#### Fish and Wildlife Service

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25107–25108

# Food and Drug Administration

#### **NOTICES**

Human drugs:

Patent extension; regulatory review period

determinations-

ERTACZO, 25091-25092

## **Food and Nutrition Service**

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25014–25015

#### **Forest Service**

### NOTICES

Meetings:

Resource Advisory Committees— Madera County, 25015

#### **Health and Human Services Department**

See Centers for Disease Control and Prevention

See Children and Families Administration

See Food and Drug Administration

See National Institutes of Health

See Substance Abuse and Mental Health Services
Administration

#### NOTICES

Meetings:

Marketing, self-regulation, and childhood obesity; workshop, 25060–25062

## **Homeland Security Department**

See Coast Guard

See Customs and Border Protection Bureau

# Housing and Urban Development Department NOTICES

Meetings:

Manufacturing Housing Consensus Committee, 25106–25107

### **Interior Department**

See Fish and Wildlife Service See Land Management Bureau

# Internal Revenue Service

# PROPOSED RULES

Income taxes:

American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and United States Virgin Islands; residency and income derivation—

Correction, 24999-25000

# International Trade Administration

#### **RULES**

Trade and Development Act of 2000:

Tariff rate quota—

Worsted wool fabric, 24941–24946

#### **NOTICES**

Applications, hearings, determinations, etc.:

University of California, Lawrence Livermore National Laboratory, et al., 25016

University of Wisconsin, Madison, 25016

#### **International Trade Commission**

NOTICES

Meetings; Sunshine Act, 25109

#### **Justice Department**

See Antitrust Division

NOTICES

Pollution control; consent judgments: E.I. du Pont de Nemours, 25109

Kerr-McGee Chemical LLC, 25109-25110 Nudel, Jack and M/V GI Jack, 25110

**Labor Department** 

See Labor Statistics Bureau

See Occupational Safety and Health Administration

#### **Labor Statistics Bureau**

NOTICES

Meetings:

Federal Economic Statistics Advisory Committee, 25111-25112

### Land Management Bureau

NOTICES

Meetings:

Resource Advisory Councils— Utah, 25108-25109

#### Libraries and Information Science, National Commission

See National Commission on Libraries and Information Science

#### **Maritime Administration**

PROPOSED RULES

Coastwise trade laws; administrative waivers: Fee increase, 25010–25012

# Millennium Challenge Corporation

**NOTICES** 

Meetings; Sunshine Act, 25112

#### **National Archives and Records Administration** NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25112-25113

# **National Commission on Libraries and Information** Science

NOTICES

Meetings, 25112

# **National Council on Disability**

**NOTICES** 

Meetings:

Cultural Diversity Advisory Committee, 25113

#### **National Institutes of Health**

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25092-25095 Meetings:

Advisory Committee to Director, 25095-25096

National Cancer Institute, 25096

National Eye Institute, 25096

National Institute of Child Health and Human Development, 25097

National Institute of Dental and Craniofacial Research, 25098

National Institute of Diabetes and Digestive and Kidney Diseases, 25097-25098

National Institute of General Medical Sciences, 25097

National Institute of Mental Health, 25096-25097

National Institute on Drug Abuse, 25098-25099

National Library of Medicine, 25099-25100

Recombinant DNA Advisory Committee, 25100

Scientific Review Center, 25100-25102

# **National Oceanic and Atmospheric Administration**

Fishery conservation and management:

Alaska; fisheries of Exclusive Economic Zone— Bering Sea and Aleutian Islands groundfish, 24992-24993

# PROPOSED RULES

Fishery conservation and management:

Caribbean, Gulf, and South Atlantic fisheries— Red snapper, 25012-25013

### NOTICES

Coastal zone management programs and estuarine sanctuaries:

Consistency appeals—

Singleton Development Corp., 25016-25017

New England Fishery Management Council, 25017 North Pacific Fishery Management Council, 25017

Southeastern Data, Assessment, and Review workshop; Gulf of Mexico vermillion snapper, greater amberjack, and gray triggerfish, 25018

Western Pacific Fishery Management Council, 25018-25021

Permits:

Scientific research, 25021

# **Nuclear Regulatory Commission**

Spent nuclear fuel and high-level radioactive waste; independent storage; licensing requirements:

Approved spent storage casks; list, 24936

Agency information collection activities; proposals, submissions, and approvals, 25113-25114

Meetings; Sunshine Act, 25128

Regulatory guides; issuance, availability, and withdrawal, 25128–25129

Applications, hearings, determinations, etc.:

Duke Energy Corp., 25114–25117

Nuclear Management Co., LLC, 25117-25119

Pacific Gas & Electric Co., 25119-25122

PPL Susquehanna, LLC, 25122-25124

PSEG Nuclear LLC, 25124-25128

### Occupational Safety and Health Administration RULES

State plans:

Oregon, 24947-24955

# **Railroad Retirement Board**

**NOTICES** 

Meetings; Sunshine Act, 25129

### **Securities and Exchange Commission NOTICES**

Self-regulatory organizations; proposed rule changes: Fixed Income Clearing Corp., 25129-25131 International Securities Exchange LLC, 25132

# **Small Business Administration**

#### **NOTICES**

Meetings:

National Small Business Development Center Advisory Board, 25132–25133

National Women's Business Council, 25133

Small business size standards; public hearings, 25133–25134

# State Department

#### **NOTICES**

Grants and cooperative agreements; availability, etc.:
Afghanistan School Administrator Project, 25134–25140
East Asia / Pacific Region; educational advising and
regional educational advising coordinator services,
25140–25145

English as a Foreign Language Institute for teachers from Bangladesh and Eastern India, 25145–25150

Mexico, Central America, and the Caribbean; advising and regional educational advising coordinating services, 25150–25156

#### Meetings:

Overseas Buildings Operations Industry Advisory Panel, 25156

Shrimp trawl fishing; sea turtle protection guidelines; certification, 25156

# Substance Abuse and Mental Health Services Administration

#### **NOTICES**

Meetings:

Center for Mental Health Services National Advisory Council, 25102

# Surface Transportation Board NOTICES

Railroad operation, acquisition, construction, etc.:
Burlington Northern & Santa Fe Railway Co., 25156–
25157

# **Transportation Department**

See Federal Aviation Administration

See Maritime Administration See Surface Transportation Board

#### **Treasury Department**

See Alcohol and Tobacco Tax and Trade Bureau See Internal Revenue Service See United States Mint

#### NOTICES

Agency information collection activities; proposals, submissions, and approvals, 25157–25158

#### **United States Mint**

#### **NOTICES**

Committees; establishment, renewal, termination, etc.: Citizens Coinage Advisory Committee, 25158 Meetings:

Citizen Coinage Advisory Committee, 25158–25159

# Separate Parts In This Issue

#### Part II

Environmental Protection Agency, 25162-25405

#### Part II

Environmental Protection Agency, 25408-25423

#### Part IV

Federal Trade Commission, 25426-25455

#### **Reader Aids**

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to http:// listserv.access.gpo.gov and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

# CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

7 CFR	
1	.24935
<b>10 CFR</b> 72	24936
14 CFR	
39 (2 documents)	
71 (2 documents)	24937
71 (2 documents)	24940
Proposed Rules:	
39 (2 documents)	.24994, 24997
15 CFR	24001
335	
340	.24941
16 CFR	
Proposed Rules: 316	.25426
26 CFR	
Proposed Rules:	
1 301	
27 CFR	24999
Proposed Rules:	
9	.25000
29 CFR	0.40.47
1952 <b>33 CFR</b>	24947
165	.24955
40 CFR	
51 52 (5 documents)	.25162
24970, 24979, 24987,	24991
72 73	.25162
74	.25162
77 78	.25162
96	
Proposed Rules:	05400
51 52 (3 documents)	.25408
25004,	25008
	.25408
46 CFR Proposed Rules:	
388	.25010
50 CFR	
679	.24992
Proposed Rules: 622	25012
<u></u>	